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# HOUSE BILL No. 1473

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-1-6-2.

**Synopsis:** Ordinance violations and liens. Specifies that the expense incurred by a municipal corporation to bring real property into compliance with an ordinance is a lien against the real property. Makes the lien superior to all other liens except liens for taxes.

**Effective:** July 1, 2003.

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January 15, 2003, read first time and referred to Committee on Financial Institutions.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1473

A BILL FOR AN ACT to amend the Indiana Code concerning property.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 36-1-6-2, AS AMENDED BY P.L.50-2002,  
2       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2003]: Sec. 2. (a) If a condition violating an ordinance of a  
4       municipal corporation exists on real property, officers of the municipal  
5       corporation may enter onto that property and take appropriate action to  
6       bring the property into compliance with the ordinance. However,  
7       before action to bring compliance may be taken, all persons holding a  
8       substantial interest in the property must be given a reasonable  
9       opportunity to bring the property into compliance. If action to bring  
10      compliance is taken by the municipal corporation, the expense involved  
11      ~~may be made~~ is a lien against the property. **The lien is superior to all**  
12      **other liens except liens for taxes.**

13      (b) If the violation described in subsection (a) is a violation that is  
14      located outdoors and does not involve a building or structure, the  
15      municipal corporation may also issue a bill to the owner of the real  
16      property for the costs incurred by the municipal corporation in bringing  
17      the property into compliance with the ordinance, including



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1 administrative costs and removal costs.

2 (c) If the owner of the real property fails to pay a bill issued under  
3 subsection (b), the municipal corporation may certify to the county  
4 auditor the amount of the bill, plus any additional administrative costs  
5 incurred in the certification. The auditor shall place the total amount  
6 certified on the tax duplicate for the property affected, and the total  
7 amount, including any accrued interest, shall be collected as delinquent  
8 taxes are collected and shall be disbursed to the general fund of the  
9 municipal corporation.

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